

REMARKS

Claims 1-2 and 6-40 are currently pending in the application, of which claims 1 and 38-40 are independent claims. Applicants appreciate the indication that claims 6-31 and 33-37 contain allowable subject matter. Applicants appreciate the indication that claims 38-40 are allowed.

In view of the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 103

Claims 1, 2, and 32 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Patent Publication No. 2003/0183854 issued to Kato, *et al.* ("Kato") in view of Japanese Patent Publication No. JP 04-279064 issued to Ueda and Japanese Patent Publication No. JP 6-59278. Applicants respectfully traverse this rejection for at least the following reasons.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the reference or references, when combined, must disclose or suggest all of the claim limitations. The motivation to modify the prior art and the reasonable expectation of success must both be found in the prior art and not based upon a patent applicant's disclosure. *See in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The examiner has failed to establish a *prima facie* case of obviousness. Assuming *arguendo* that the references may be combined and a reasonable expectation of success exists, the combined references do not disclose or suggest all of the claim limitations.

Claim 1 recites *inter alia*:

"A flat panel display, comprising...a size of crystal grain on the channel region, which has a relatively thinner thickness, of the switching thin film transistor is larger than a size of the crystal grain on the channel region of the other thin film transistor..."

Applicants respectfully submit that Kato does not teach or suggest such features, more particularly, Kato does not teach or suggest the difference in crystal grain sizes on the channel region of the two thin film transistors. Applicants further respectfully submit that Ueda and JP 6-59278 do not cure the deficiencies of Kato.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1, 2, and 32. Claims 2 and 32 depend from claim 1 and are allowable at least for this reason. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claim 1, and all the claims that depend therefrom, are allowable.

Allowable Subject Matter

Applicants appreciate the indication that claims 6-31 and 33-37 contain allowable subject matter. As noted above, independent claim 1 is in condition for allowance. Claims 2 and 6-37 depend from claim 1, and therefore are patentable for the reasons discussed above.

Accordingly, Applicants submit that claims 1, 2 and 6-37 are in condition for allowance. Applicants appreciate the indication that claims 38-40 are allowed.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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Date: June 12, 2006

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